

FORECLOSURE DIVERSION PROGRAM

PAYMENT OF MEDIATION FEE AT FILING OF FORECLOSURE COMPLAINT

The FDP mediation fee is to be paid at the time of filing in all foreclosure actions to support mediation services. The mediation fee is due at the time of filing regardless of whether the case is eligible for mediation or the parties plan to attend mediation. Please refer to the following authorities:

➔ **14 M.R.S. § 6321-A (7)(c):**

7. Provisions of mediation services; filing and fees. The court shall
(c) . . . establish a fee upon a foreclosure filing made on or after June 15, 2009 to support mediation services to be paid for by the plaintiff; and

➔ **M.R.Civ.P. 93(a) (2):**

(a) **Definitions.** As used in this Rule, the following terms shall have the following meanings: (2) ***“Foreclosure Action”*** means any civil action initiated pursuant to title 14, chapter 713 of the Maine Revised Statutes (14 M.R.S. §§ 6101 – 6325) to foreclose on a property subject to a mortgage or other note or bond secured by that property, other than a State mortgage pursuant to 14 M.R.S. §§ 6161 – 6153.

➔ **Administrative Order: JB-05-26**

Section 1. Fees

A. Filing and Similar Fees

6. Mediation-Related Fees

Foreclosure action to be paid by the plaintiff in each Foreclosure Action filed on or after June 15, 2009.